

EX PARTE OR LATE FILED



American Mobile Telecommunications Association

**The  
Business  
Communications  
Industry  
Advocate**

**PRESIDENT & CEO**

Alan R. Shark, CAE

**GENERAL COUNSEL**

Elizabeth R. Sachs, Esq.  
Lukas, McGowan, Nace & Gutierrez

June 23, 1999

**RECEIVED**

JUN 23 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Magalie R. Salas, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW, Room TW-A 325  
Washington, DC 20554

**Re: Notice of oral *ex parte* communication  
Implementation of Sections 309(j) and 337 of the  
Communications Act, as amended (WT Docket No. 99-87) ✓**

To the Secretary:

On June 22, 1999, the American Mobile Telecommunications Association, Inc. ("AMTA," the Association) made an oral *ex parte* communication in the above-referenced proceeding to D'wana Terry, Chief, Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau, Herb Zeiler, Deputy Chief, and Ramona Melson and John Borkowski of the Division. The purpose of the meeting was to discuss the "Band Manager" concept included in the *Notice of Proposed Rulemaking* in the docket.

AMTA explained that its members are mostly small commercial business wireless operators who are seeking a role in the future wireless industry. Since they almost exclusively provide service to private land mobile eligibles, AMTA was curious whether the FCC's and Bureau's intent in introducing the Band Manager concept was to include such businesses. The Association sought information in this meeting to determine how to comment on the Band Manager idea in written comments.

When asked about possible license size for Band Manager spectrum in the private land mobile bands, AMTA recommended licenses of approximately .5 MHz each in the 450-470 MHz band, with geography of EAs or clustered EAs. Large blocks of channels, coupled with large amounts of geography, would likely make acquisition of Band Manager licenses impossible for small businesses in an auction situation.

A major consideration for potential bidders for Band Manager spectrum will be the level of incumbency on the spectrum, and the rights of new licensees with regard to incumbents. In its Petition for Rulemaking incorporated into this proceeding, the

Magalie R. Salas, Secretary

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Association has advocated that licensees on non-Public Safety channels, using old and inefficient technology, be converted eventually to secondary status on these bands.

AMTA also indicated that equipment manufacturers would be unlikely to be interested in serving as Band Managers themselves, but might wish to form alliances with eventual license holders. The Association also noted that it is not opposed to a possible restriction on Band Managers to limit re-licensing to private land mobile eligibles.

Pursuant to Section 1.1206(b) of the Commission's Rules and Regulations, 47 C.F.R. § 1206(b), an original and one copy of this Notice are provided.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jill M. Lyon", with a long horizontal flourish extending to the right.

Jill M. Lyon

Vice President for Regulatory Relations

cc: D'wana Terry, Division Chief  
Herb Zeiler, Deputy Chief  
Ms. Ramona Melson  
Mr. John Borkowski

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